PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

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PCT

WRITTEN OPINION

(PCT Rule 66)

Date of Mailing *(day/month/year)*	03 AUG 2001
Applicant's or agent's file reference: 4426.P001PCT	REPLY DUE: within TWO months from the above date of mailing

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US00/26883	29 SEPTEMBER 2000	30 SEPTEMBER 1999

International Patent Classification (IPC) or both national classification and IPC
IPC(7): G06 F 17/60 and US Cl.: 705/1

Applicant
INSTANTIS, INC.

1. This written opinion is the first (first, etc.) drawn by this International Preliminary Examining Authority.

2. This opinion contains indications relating to the following items:

- I [X] Basis of the opinion
- II [ ] Priority
- III [ ] Non-establishment of opinion with regard to novelty, inventive step or industrial applicability
- IV [ ] Lack of unity of invention
- V [X] Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI [ ] Certain documents cited
- VII [ ] Certain defects in the international application
- VIII [ ] Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. ~~The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).~~

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 *bis*.
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 30 JANUARY 2002.

Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer: Peggy Harwood HEATHER HERNDON
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Form PCT/IPEA/408 (cover sheet) (July 1998) ★

WRITTEN OPINION

International application No.
PCT/US00/26883

I. Basis of the opinion

1. With regard to the **elements** of the international application:*

[X] the international application as originally filed

[X] the description:
pages 1-35 , as originally filed
pages NONE , filed with the demand
pages NONE , filed with the letter of

[X] the claims:
pages 36-52 , as originally filed
pages NONE , as amended (together with any statement) under Article 19
pages NONE , filed with the demand
pages NONE , filed with the letter of

[X] the drawings:
pages 1-6 , as originally filed
pages NONE , filed with the demand
pages NONE , filed with the letter of

[X] the sequence listing part of the description:
pages NONE , as originally filed
pages NONE , filed with the demand
pages NONE , filed with the letter of

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language _____ which is:

[ ] the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

[ ] the language of publication of the international application (under Rule 48.3(b)).

[ ] the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the written opinion was drawn on the basis of the sequence listing:

[ ] contained in the international application in printed form.

[ ] filed together with the international application in computer readable form.

[ ] furnished subsequently to this Authority in written form.

[ ] furnished subsequently to this Authority in computer readable form.

[ ] The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

[ ] The statement that the information recorded in computer readable form is identical to the writen sequence listing has been furnished.

4. [X] The amendments have resulted in the cancellation of:

[X] the description, pages NONE

[X] the claims, Nos. NONE

[X] the drawings, sheets/~~fig~~ NONE

5. [ ] This opinion has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

** Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed".*

WRITTEN OPINION

International application No.
PCT/US00/26883

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. statement

Novelty (N)	Claims	1-101	YES
	Claims	NONE	NO
Inventive Step (IS)	Claims	NONE	YES
	Claims	1-101	NO
Industrial Applicability (IA)	Claims	1-101	YES
	Claims	NONE	NO

2. citations and explanations

Claims 1-3, 6, 36, 43-44, 57-59, 76-80, 89 lack an inventive step under PCT Article 33(3) as being obvious over Wang et al. (hereinafter Wang).

In regard to independent claim 1, Wang teaches:

- receiving a form from a user (Wang column 4 lines 42-49; compare with claim 1 "receiving a form from a user").

- allowing a user to configure a set of actions for submission (Wang column 4 lines 43-50, 55-61; compare with claim 1 "allowing said user to configure a set of actions to be performed in processing a submission of said form, comprising:"). - parsing a form to extract form elements along with associated logic (Wang column 4 lines 54-67, column 5 lines 1-10; compare with claim 1 "parsing said form to extract specifications of form elements contained in said form").

- Wang does not specifically teach presenting to a user an interface for a user to input specification. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Wang, because Wang teaches that a developer need only to write an input form and a stored procedure (Wang column 2 lines 29-33; compare with claim 1 "presenting said user with a user interface....processing said submission of said form"), suggesting the creation of said form and procedure by a user via an interface, and providing the advantage of an interface to create and submit necessary items.

- creation of a CGI module for obtaining specification for said set of actions (Wang column 1 lines 45-52; compare with claim 1 "obtaining specification for said set of actions from said user").

- customization of a CGI module adapted to a configuration structure of a stored procedure (Wang column 1 lines 44-45, column 4 lines 40-45; compare with claim 1 "generating a configuration structure....actions to be performed.").

In regard to dependent claims 2, 3, 6, Wang teaches (Continued on Supplemental Sheet.)

Supplemental Box
(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

TIME LIMIT:

The time limit set for response to a Written Opinion may not be extended. 37 CFR 1.484(d). Any response received after the expiration of the time limit set in the Written Opinion will not be considered in preparing the International Preliminary Examination Report.

V. 2. REASONED STATEMENTS - CITATIONS AND EXPLANATIONS (Continued):
generation of a customized CGI program (Wang column 2 lines 30-35; compare with claim 2). Wang teaches web access to databases via CGI interfaces (Wang column 1 lines 13-17; compare with claim 3). Wang teaches a customized CGI module consistent with a stored procedure and an input stream (Wang column 2 lines 29-38; compare with claim 6).

In regard to independent claim 36, Wang teaches:

- receiving a form, said form configured with a set of actions for submission, and parsing a form to extract form elements along with associated logic (Wang column 4 lines 42-49, 55-67, column 5 lines 1-10; compare with claim 36 "a first module to parse a first form....elements contained in the first form").

- creation and customization of a CGI module for obtaining specification from a user for a set of actions, said customization of a CGI module adapted to a configuration structure of a stored procedure (Wang column 1 lines 45-52, column 4 lines 40-45; compare with claim 36 "a second module to obtain from the first author....program for the first form.").

- Wang does not specifically teach configuring a program. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Wang, because Wang teaches CGI to customize a stored procedure, which suggests customization of a program, and providing the advantage of CGI customization (Wang column 1 lines 40-59; compare with claim 36 "configure a first program").

In regard to dependent claims 39-42, Wang teaches a CGI module for extracting logic (functions) from a file, and from a stored procedure, and Wang teaches a customized CGI module consistent with a stored procedure and an input stream (Wang column 2 lines 29-38, column 4 lines 50-67; compare with claims 39-42).

In regard to independent claim 43, Wang teaches:

- receiving a submitted form from a user from another site (Wang column 4 lines 42-49; compare with claim 43 "allowing a first author....said allowing comprising", and "receiving the first form at a first server").

- parsing a form to extract form elements along with associated logic (Wang column 4 lines 54-67, column 5 lines 1-10; compare with claim 43 "parsing said form to extract specifications of form elements contained in said form").

- Wang does not specifically teach creating a representation of form elements. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Wang, because Wang teaches that a developer need only to write an input form and a stored procedure, said procedure invoked by an input stream (Wang column 2 lines 29-33; compare with claim 43 "creating a representation....extracted from the first form"), suggesting the representation of an invoked program to a user, and providing the advantage of an interface to create and submit necessary items.

- allowing a user to configure a set of actions for submission (Wang column 4 lines 43-50, 55-61; compare with claim 43 "obtaining configuration information from the first user").

- creation of a CGI module for obtaining specification for said set of actions (Wang column 1 lines 45-52; compare with claim 1 "obtaining specification for said set of actions from said user").

- customization of a CGI module adapted to a configuration structure of a stored procedure (Wang column 1 lines 44-45, column 4 lines 40-45; compare with claim 43 "configuring the first program's ....by the first author.").

In regard to dependent claim 44, claim 44 incorporates substantially similar subject matter as claimed in claim 43, and similarly lack an inventive step.

In regard to dependent claims 57-59, Wang teaches generating HTML web pages, as well as a CGI module parsing through an HTML form (Wang column 1 lines 10-20, column 4 lines 40-47; compare with claims 57-59).

In regard to independent claim 76, Wang teaches:

- receiving a form from a user (Wang column 4 lines 42-49; compare with claim 76 "receiving a form from a user").

- allowing a user to configure a set of actions for submission (Wang column 4 lines 43-50, 55-61; compare with claim 76 "allowing said user to configure a set of actions to be performed in processing a submission of said form.

Supplemental Box
(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII Sheet 11

comprising:"). - parsing a form to extract form elements along with associated logic (Wang column 4 lines 54-67, column 5 lines 1-10; compare with claim 76 "parsing said form to extract specifications of form elements contained in said form").

- Wang does not specifically teach presenting to a user an interface for a user to input specification. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Wang, because Wang teaches that a developer need only to write an input form and a stored procedure (Wang column 2 lines 29-33; compare with claim 76 "presenting said user with a user interface....processing said submission of said form"), suggesting the creation of said form and procedure by a user via an interface, and providing the advantage of an interface to create and submit necessary items.

- creation of a CGI module for obtaining specification for said set of actions (Wang column 1 lines 45-52; compare with claim 76 "obtaining specification for said set of actions from said user").

- customization of a CGI module adapted to a configuration structure of a stored procedure (Wang column 1 lines 44-45, column 4 lines 40-45; compare with claim 76 "generating a configuration structure....actions to be performed.").

In regard to dependent claims 77-80, Wang teaches generation of a CGI module customized to a stored procedure (extraction of logical elements), said module also customized to parse elements from an input form for the purpose of invoking said procedure (Wang column 3 lines 15-35, column 4 lines 38-67; compare with claims 77-80).

In regard to independent claim 89, Wang teaches:

- receiving a form from a user, and allowing a user to configure a set of actions for submission (Wang column 4 lines 43-50, 55-61; compare with claim 89 "allowing a first author.... of the first form, said allowing comprising:", and "receiving the first form at a first server").

- parsing a form to extract form elements along with associated logic (Wang column 4 lines 54-67, column 5 lines 1-10; compare with claim 89 "parsing said form to extract specifications of form elements included in the first form").

- Wang does not specifically teach creating a representation of form elements. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Wang, because Wang teaches that a developer need only to write an input form and a stored procedure, said procedure invoked by an input stream (Wang column 2 lines 29-33; compare with claim 89 "creating a representation....extracted from the first form"), suggesting the representation of an invoked program to a user, and providing the advantage of an interface to create and submit necessary items.

- creation of a CGI module for obtaining specification for said set of actions (Wang column 1 lines 45-52; compare with claim 89 "obtaining configuration information from the first author").

- customization of a CGI module adapted to a configuration structure of a stored procedure (Wang column 1 lines 44-45, column 4 lines 40-45; compare with claim 89 "configuring the first program's....by the first author.").

Claims 4-5, 7-35, 37-38, 45-57, 60-73, 81-88, 90-101 lack an inventive step under PCT Article 33(3) as being obvious over Wang in view of Brandt et al. (hereinafter Brandt).

In regard to dependent claim 4, Wang does not specifically teach Java applets. However, Brandt teaches Java applets (Brandt column 6 lines 8-10; compare with claim 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Brandt to Wang, because of Brandt's taught advantage of Java, providing Wang the advantage of a platform independent language.

In regard to dependent claim 5, Wang teaches HTML (Wang column 2 lines 29-31; compare with claim 5).

In regard to dependent claims 7-10, Wang does not specifically teach keeping track of changes, or timestamps. However, Brandt teaches keeping track of changes (Brandt column 16 lines 20-23). Brandt teaches use of timestamps for synchronization (Brandt column 21 lines 60-63; compare with claims 7-10). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Brandt to Wang, because of Brandt's taught advantage of current tracking, so as to provide a user of Wang a way to keep changes current.

In regard to dependent claims 11-15, Wang teaches creation and customization of a CGI module, said module customized subsequent to changed submissions of input files and stored procedures (Wang column 2 lines 22-38; compare with claims 11-15).

In regard to dependent claim 16-18, claims 16-18 incorporate substantially similar subject matter as claimed in claims 13-15, and similarly lack an inventive step.

Supplemental Box
(To be used when the space in any of the preceding boxes is not sufficient)

In regard to independent claim 19, Wang teaches:

- receiving a form from a user (Wang column 4 lines 42-49; compare with claim 19 "receiving a first form created by a first author....one or more field attributes").

- parsing a form to extract form elements along with associated logic (Wang column 4 lines 54-67, column 5 lines 1-10; compare with claim 19 "parsing the first form to extract specification....with each input field").

- Wang does not specifically teach presenting to a user an interface for a user to input specification. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Wang, because Wang teaches that a developer need only to write an input form and a stored procedure (Wang column 2 lines 29-33; compare with claim 19 "presenting to the first author a user interface"), suggesting the creation of said form and procedure by a user via an interface, and providing the advantage of an interface to create and submit necessary items.

- Wang does not specifically teach an invoked procedure comprising a set of questions. However, Brandt teaches a template CGI processed user interface presented with rental options (Brandt column 23 lines 45-60; compare with claim 19 "a set of questions"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Brandt to Wang, because of Brandt's taught advantage of CGI processed interactive web pages, providing a user of Wang a way to create interactive applications.

- creation and customization of a CGI module adapted to a configuration structure of a stored procedure for obtaining specification for said set of actions, allowing a user to configure a set of actions for submission (Wang column 4 lines 43-50, 55-61, column 1 lines 45-52; compare with claim 19 "that are constructed based upon the extracted....submissions of the first form").

In regard to dependent claims 20-24, Wang teaches creation and submission of stored procedures and input streams utilizing forms (Wang column 2 lines 22-39; compare with claims 20-24).

In regard to dependent claims 25-27, claims 25-27 incorporate substantially similar subject matter as claimed in claims 6, 9, and 10, and similarly lack an inventive step.

In regard to independent claim 28, Wang teaches:

- receiving a form from a user, and parsing a form to extract form elements along with associated logic (Wang column 4 lines 54-67, column 5 lines 1-10 column 4 lines 42-49; compare with claim 19 "first programming logic to parse....attributes of the input fields").

- Wang does not specifically teach presenting to a user an interface for a user to input specification. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Wang, because Wang teaches that a developer need only to write an input form and a stored procedure (Wang column 2 lines 29-33; compare with claim 28 "presenting to the first author a user interface"), suggesting the creation of said form and procedure by a user via an interface, and providing the advantage of an interface to create and submit necessary items.

- Wang does not specifically teach an invoked procedure comprising a set of questions. However, Brandt teaches a template CGI processed user interface presented with rental options (Brandt column 23 lines 45-60; compare with claim 28 "a set of questions"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Brandt to Wang, because of Brandt's taught advantage of CGI processed interactive web pages, providing a user of Wang a way to create interactive applications.

- creation and customization of a CGI module adapted to a configuration structure of a stored procedure for obtaining specification for said set of actions, allowing a user to configure a set of actions for submission (Wang column 4 lines 43-50, 55-61, column 1 lines 45-52; compare with claim 28 "configuration information with respect to....submission of the first form.").

In regard to dependent claims 29-31, Wang teaches a configuration structure parsed via CGI, and performed actions (Wang column 1 lines 45-55; compare with claims 29-31).

In regard to dependent claims 32-35, Wang teaches CGI for processing submissions of forms. teaches consistency by returning results consistent with a user's submitted request (Wang Abstract). Wang teaches a customized CGI module consistent with a stored procedure and an input stream (Wang column 2 lines 29-38; compare with claims 32-35).

In regard to dependent claims 37-38, Wang does not specifically teach an invoked procedure comprising a set of questions. However, Brandt teaches a template CGI processed user interface presented with rental options (Brandt column 23 lines 45-60; compare with claims 37-38). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Brandt to Wang, because of Brandt's taught advantage of CGI processed interactive web pages, providing a user of Wang a way to create interactive applications.

Supplemental Box
(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII Sheet 13

In regard to dependent claims 45-56, Wang does not specifically teach form validation, quantity generation, licensing, cookies, or email. However, Brandt teaches password validation, multiple applications, licensing, cookie generation, and email (Brandt column 6 lines 10-14, column 23 lines 45-54, column 24 lines 30-36; compare with claims 45-56). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Brandt to Wang, because of Brandt's taught advantage of passwords, email, and licensing, providing a user of Wang a way to incorporate popular elements of the Internet.

In regard to dependent claims 60-73, claims 60-73 incorporate substantially similar subject matter as claimed in claims 43, 45-56, and similarly lack an inventive step.

In regard to dependent claims 74-75, Wang does not specifically teach email. However, Brandt teaches email (Brandt column 6 lines 8-13; compare with claims 74-75). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Brandt to Wang, because of Brandt's taught advantage of email, providing a user of Wang a way to incorporate popular elements of the Internet.

In regard to independent claim 81, Wang teaches:

- receiving a form from a user (Wang column 4 lines 42-49; compare with claim 81 "receiving a first form created by a first author…one or more field attributes").
- parsing a form to extract form elements along with associated logic (Wang column 4 lines 54-67, column 5 lines 1-10; compare with claim 81 "parsing the first form to extract specification…with each input field").
- Wang does not specifically teach presenting to a user an interface for a user to input specification. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Wang, because Wang teaches that a developer need only to write an input form and a stored procedure (Wang column 2 lines 29-33; compare with claim 81 "presenting to the first author a user interface"), suggesting the creation of said form and procedure by a user via an interface, and providing the advantage of an interface to create and submit necessary items.
- Wang does not specifically teach an invoked procedure comprising a set of questions. However, Brandt teaches a template CGI processed user interface presented with rental options (Brandt column 23 lines 45-60; compare with claim 81 "a set of questions"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Brandt to Wang, because of Brandt's taught advantage of CGI processed interactive web pages, providing a user of Wang a way to create interactive applications.
- creation and customization of a CGI module adapted to a configuration structure of a stored procedure for obtaining specification for said set of actions, allowing a user to configure a set of actions for submission (Wang column 4 lines 43-50, 55-61, column 1 lines 45-52; compare with claim 81 "allowing the first author to specify one or more…submissions of the first form").

In regard to dependent claims 82-88, claims 82-88 incorporate substantially similar subject matter as claimed in claims 20-27, and similarly lack an inventive step.

In regard to dependent claims 90-101, claims 90-101 incorporate substantially similar subject matter as claimed in claims 45-56, and similarly lack an inventive step.

---------- NEW CITATIONS ----------

US 5,875,332 A (WANG et al) 23 FEBRUARY 1999, whole document.

US 5,892,905 A (BRANDT et al) 06 APRIL 1999, whole document.